



INFORMATIONAL MEMO

TITLE:	EXTENDING SECTION 1915(C) APPENDIX K FLEXIBILITIES
SUPERSEDES NUMBER:	N/A
EFFECTIVE DATE:	JANUARY 17, 2021
DIVISION AND OFFICE:	BENEFITS AND SERVICES MANAGEMENT DIVISION, OFFICE OF COMMUNITY LIVING
PROGRAM AREA:	HOME AND COMMUNITY-BASED SERVICES (HCBS) WAIVERS
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Purpose and Audience:

On December 22, 2020, the Centers for Medicare & Medicaid Services (CMS) issued [State Health Official letter #20-004](#) informing states of the option to extend the Appendix K authorities related to the COVID-19 Public Health Emergency (PHE) to “6 months after the conclusion of the public health emergency.”

The audience for this Informational Memo includes Home and Community-Based Services (HCBS) providers, HCBS waiver participants, and Case Management Agencies (CMAs).

Information:

The Department of Health Care Policy & Financing (Department) submitted a new Appendix K to extend the expiration date to “6 months after the public health emergency” ended as Colorado’s current Appendix K was set to expire on March 9, 2021. Colorado received approval on Thursday, January 14, 2021 for this extension. The PHE has been

[renewed](#), effective January 21, 2021, and is set to expire on April 20, 2021. The flexibilities afforded through the Appendix K amendments for the HCBS waivers will continue until October 17, 2021, unless the PHE is renewed again.

The Department has submitted six additional Appendix K amendments to respond to emerging needs and CMS fully approved these requests on March 26, 2020, April 14, 2020, April 21, 2020, May 28, 2020, June 18, 2020, and September 28, 2020. All approved Appendix K amendments can be found at the CMS website for [Emergency Preparedness and Response for Home and Community Based \(HCBS\) 1915\(c\) Waivers](#).

Attachment(s):

[Approval Letter](#)

[Colorado Appendix K: Emergency Preparedness and Response and COVID-19 Addendum](#)

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